

thereunder.¹¹ Because the foregoing proposed rule change: (1) Does not significantly affect the protection of investors or the public interest, (2) does not impose any significant burden on competition, (3) by its terms does not become operative for 30 days after the date of filing, or such shorter time as the Commission may designate, and because (4) the Commission is waiving the required written notice of intent to file the proposed rule change at least five days prior to the filing date, it has become effective for a pilot period until December 9, 1999, pursuant to Section 19(b)(3)(A) of the Act¹² and Rule 19b-4(f)(6) thereunder.¹³

The Commission has determined, consistent with the protection of investors and the public interest, to make the proposed rule change operative upon filing, pursuant to Section 19(b)(3)(A) of the Act¹⁴ and Rule 19b-4(f)(6)(iii).¹⁵ Under Rule 19b-4(f)(6)(iii), a proposed "non-controversial" rule change does not become operative for 30 days after the date of filing, unless the Commission designates a shorter time.¹⁶ The Commission believes that because the two-year pilot program is scheduled to expire on September 9, 1999, and the three month extension is based on the same terms and conditions of the original pilot, it is consistent with the protection of investors and the public interest to make the proposed rule change operative upon filing.

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in the furtherance of the purposes of the Act.¹⁷

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549-0609. Copies of submission, all subsequent amendments, all written statements with respect to the proposed

rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of the PCX. All submissions should refer to file number SR-PCX-99-29 and should be submitted by October 12, 1999.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁸

Margaret H. McFarland,

Deputy Secretary.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Aviation Proceedings, Agreements Filed During the Week Ending September 10, 1999

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: OST-99-6203

Date Filed: September 7, 1999

Parties: Members of the International Air Transport Association

Subject:

PT3 0353 dated 7 September 1999

Mail Vote 029—Resolution 010c

TC3 Special Passenger Amending Resolution

Intended effective date: 15 September 1999.

Dorothy W. Walker,

Federal Register Liaison.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q during the Week Ending September 10, 1999

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 *et. seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: OST-99-6208.

Date Filed: September 7, 1999.

Due Date for Answers, Conforming Applications, or Motions to Modify Scope: October 5, 1999.

Description: Application of United Air Lines, Inc. pursuant to 49 U.S.C. 41101 and Subpart Q, applies for an amendment to its Certificate of Public Convenience and Necessity for Route 624 authorizing United to provide scheduled foreign air transportation of persons, property and mail between any point or points in the United States, directly and via any intermediate point or points, and any point or points in Italy, and beyond Italy to any point or points in third countries.

Docket Number: OST-99-6211.

Date Filed: September 8, 1999.

Due Date for Answers, Conforming Applications, or Motions to Modify Scope: October 6, 1999.

Description: Amendment No. 6 of Malaysia Airlines (MAS) pursuant to 49 U.S.C. 41302, Part 211 and Subpart Q, hereby amends its Foreign Air Carrier Permit application to include all of the route authority made available to Malaysia pursuant to the terms of the Air Transport Agreement between the Government of the United States and the Government of Malaysia.

Docket Number: OST-99-6221.

Date Filed: September 10, 1999.

Due Date for Answers, Conforming Applications, or Motions to Modify Scope: October 8, 1999.

Description: Application of Ameristar Air Cargo, Inc. pursuant to 49 U.S.C. Section 41102, Parts 201 and 204, and Subpart Q, applies for a certificate of

¹¹ 17 CFR 240.19b-4(f)(6).

¹² 15 U.S.C. 78s(b)(3)(A).

¹³ 17 CFR 240.19b-4(f)(6).

¹⁴ 15 U.S.C. 78s(b)(3)(A).

¹⁵ 17 CFR 240.19b-4(f)(6)(iii).

¹⁶ *Id.*

¹⁷ 15 U.S.C. 78s(b)(3)(C).

¹⁸ 17 CFR 200.30-3(a)(12).